

IN THE UNITED STATES DISTRICT COURT
DISTRICT FOR SOUTH CAROLINA
SPARTANBURG DIVISION

| | | |
|---|---|----------------------------|
| State Farm Fire & Casualty Insurance Company, |) | |
| |) | |
| Plaintiff, |) | Case no: 7:16-cv-03998-DCC |
| |) | |
| vs. |) | |
| |) | |
| Horace Mills Sproull, III, et al., |) | CONDITIONAL |
| |) | ORDER OF DISMISSAL |
| |) | |
| Defendants. |) | |
| |) | |
| Johnny R. Lee, |) | |
| |) | |
| Plaintiff, |) | Case no: 7:17-cv-00234-DCC |
| |) | |
| vs. |) | |
| |) | |
| Robert Henry Campbell; Ladonna Campbell |) | |
| State Farm Fire and Casualty Insurance Company, |) | |
| |) | |
| Defendants. |) | |
| |) | |

The Court, having been advised by counsel by counsel for the parties, that the above action has been settled, issues this Conditional Order of Dismissal.

IT IS ORDERED upon Motion of Stanley T. Case, the attorney for State Farm in the above-referenced matters, with the consent of Attorney Andrew Poliakoff, local counsel for all of the Defendants who are claimants for insurance coverage which is involved in the above-referenced matters, that the above-referenced matters are hereby dismissed, without costs, and without prejudice.

It is contemplated that the claims involving the death of certain claimants in this matter will be approved by the state court.

If settlement is not consummated within sixty (60) days, either party may petition the court to re-open this action and re-store it to the calendar. Rule 60(b)(6) F.R.Civ.P. In the alternative, to the extent permitted by law, either party may within sixty (60) days petition the court to enforce the settlement. *Fairfax Countywide Citizens v. Fairfax County*, 571 F.2d 1299(4th Cir. 1978). By agreement of the parties, the court retains jurisdiction to enforce the settlement agreement. *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 381-382 (1994).

IT IS SO ORDERED.

s/Donald C. Coggins, Jr.
DONALD C. COGGINS, JR.
UNITED STATES DISTRICT JUDGE

October 2, 2018
Spartanburg, South Carolina

FOR THE MOTION:

s/ Stanley T. Case
Stanley T. Case, Federal ID# 0071
BUTLER, MEANS, EVINS & BROWNE, P.A.
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CONSENT:

s/ Andrew N. Poliakoff
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